

**REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034**

5:30 p.m.

**Monday
September 15, 2008**

MINUTES

1. Call to Order.

Mayor Maso called the meeting to order at 5:34 p.m. and announced a quorum was present. The meeting was duly posted and called in a timely manner.

Representing Council were: Mayor Maso, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West, Council member Johnson, Council member Cheney, Council member Prince and Council member Crowder.

Representing staff were: City Manager, George Purefoy; Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Assistant City Manager, Ron Patterson; Assistant to the City Manager, Amy Gill; Director of Frisco CVB, Marla Roe; Director of Engineering Services, Cissy Sylo; Director of Financial Services, Anita Cothran; Fire Chief, Mack Borchardt; Director of Planning & Development, John Lettelleir; Development Coordinator, Scott Ingalls; Police Chief, Todd Renshaw; Director of Public Works, Gary Hartwell; City Attorney, Richard Abernathy and Sr. Administrative Assistant Estela Barrera.

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

Council member Crowder moved to recess into Closed Session. Council member Johnson seconded the motion. Motion carried. Vote: 6:0.

Mayor Maso announced the Council was in Closed Session at 5:35 p.m. as authorized by Section 551.001 *et. seq.* to wit:

- a. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - i. Legal issues regarding housing concerns raised by Inclusive Communities Project, Inc.
 - b. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. South of US 380, North of Lebanon Road, East of FM 423, and West of Hillcrest Road.
 - c. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.
 - d. Section 551.074. Evaluation of Municipal Judge.
- 3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.**

Council member Cheney moved to reconvene into Regular Session at 6:50 p.m. Council member Crowder seconded the motion. Motion carried. Vote: 5:0.

Mayor Maso announced there was no action taken as a result of the Closed Session.

Council member Johnson will come back into the meeting to at a later time.

4. Invocation.

Council member Prince led the invocation.

5. Pledge of Allegiance.

Deputy Mayor Pro Tem West led the audience in the Pledge of Allegiance and the Texas Pledge of Allegiance.

6. Proclamations.

Mayor Maso proclaimed October 07, 2008 as National Night Out 2008. Those accepting were: Kyle Juntunen, North Frisco Target Asset Protection Team Leader; Kurt McCord, South Frisco Target Asset Protection Team Leader; Officer Glynda Covington and Officer Greg Barnett with the Frisco Police Dept.

Mayor Maso presented a Proclamation to Steve Covington, Chief Building Inspector for his 20 years of service with the City, proclaiming September 26, 2008 as "Steve Covington Day".

7. Reports

- A.) Public Works Monthly Report – Gary Hartwell
- B.) Police Department Monthly Report – Todd Renshaw
- C.) Fire Department Monthly Report – Mack Borchardt
- D.) Convention and Visitors Monthly Report – Marla Roe
- E.) Planning & Development Services Monthly Report – John Lettelleir
- F.) Financial Services Monthly Report – Anita Cothran

8. Citizen Input.

There was no one present for Citizen Input.

9. Consent Agenda:

The Consent Agenda was considered for approval. Deputy Mayor Pro Tem West moved to approve the consent agenda as submitted. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 5:0.

- A.) Consider and act upon approval of the Minutes of the September 2, 2008 Regular City Council Meeting. (CSO)
- B.) Adoption of **Resolution No. 08-09-198R** authorizing the City Manager to execute an Interlocal Agreement by and between the City of Frisco and Collin County for library services for Collin County residents. (Library)
- C.) Approval of a Change Order to the Professional Service Agreement with Southwest Geoscience for additional services related to the closing of the old Stewart Creek Waste Water Treatment Plant. (Public Works)
- D.) Adoption of **Resolution No. 08-09-199R** authorizing the City Manager to execute Electric Line Easement by and between the City of Frisco and Denton County Electric Cooperative, Inc., d/b/a CoServ Electric for an Electric Line Easement located at the Custer Road Pump Station; resolving other matters relating to the subject; and providing an effective date. (Engineering)
- E.) Adoption of **Resolution No. 08-09-200R** authorizing the City Manager to execute Electric Line Easement by and between the City of Frisco and Denton County Electric Cooperative, Inc., d/b/a CoServ Electric for an Electric Line Easement located at the Panther Creek Waste Water Treatment Plant; resolving other matters relating to the subject; and providing an effective date. (Engineering)

- F.) Adoption of **Resolution No. 08-09-201R** authorizing the City Manager to execute a Professional Contract by and between the City of Frisco and Frisco Independent School District for services related to a School Resource Officer Program. (Police)
- G.) Adoption of **Resolutions No. 08-09-202R; No. 08-09-203R; No. 08-09-204R and No. 08-09-205R** authorizing the City Manager to execute Interlocal Agreements with the Town of Prosper, City of Murphy, Plano Independent School District, and East Texas Medical Center for use of the Allen, Frisco, and Plano 800 MHz Trunked Radio Communications System. (Police)
- H.) Adoption **Resolution No. 08-09-206R** authorizing the City Manager to execute an Interlocal Agreement between the City of Frisco and Collin County where in, Collin County agrees to provide to the City of Frisco teen court services. (Financial Services)
- I.) Adoption of **Resolution No. 08-09-207R** authorizing the City Manager to execute an agreement by and between the City of Frisco, Texas and Collin County, Texas for Animal Shelter services. (Planning & Development Services)
- J.) Adoption of **Resolution No. 08-09-208R** authorizing the City Manager to execute a tower site Lease Agreement by and between the City of Frisco and AT&T Mobility Texas, LLC. (CMO/AG)
- K.) Award of RFP #0805-054 Occupational Health and Safety Services and RFQ 0805-055 Occupational Medical Services to Concentra Health Solutions and E-Care Management, LP, and approval of **Resolution No. 08-09-209R** and **Resolution No. 08-09-210R** authorizing the City Manager to execute Agreement for these services. (Financial Services)

10. Legislative Agenda

The Legislative Agenda was considered for approval. Deputy Mayor Pro Tem West moved to approve the Legislative Agenda as submitted. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 5:0.

- A.) Adoption of **Ordinance No. 08-09-80** changing the name of County Road 2 to John Hickman Parkway from the Dallas North Tollway to Gaylord Parkway. STRE08-0011. (Planning & Development Services) (Planning & Development Services)
- B.) Adoption of **Ordinance No. 08-09-81** changing the name of County Road 1043 to Panther Creek Parkway from Preston Road to the Dallas North Tollway. STRE08-0012. (Planning & Development Services)

- C.) Adoption of **Ordinance No. 08-09-82** changing the name of County Roads 71 and 72 to Coit Road from US 380 to Panther Creek Parkway. STRE08-0013. (Planning & Development Services)
- D.) Adoption of **Ordinance No. 08-09-83** changing the name of County Road 71 to Coit Road from Eldorado Parkway to Panther Creek Parkway. STRE08-0014. (Planning & Development Services) (Planning & Development Services)
- E.) Adoption of **Ordinance No. 08-09-84** to rezone 28.3± acres on the south side of future Preston Vineyards Drive, 1,000± feet west of Preston Road **from** Agricultural **to** Planned Development-Multifamily-1. Neighborhood #23. Zoning Case Z08-0013. (Planning & Development Services)
- F.) Adoption of **Ordinance No. 08-09-85** establishing requirements for the issuance of Temporary Certificates of Occupancy prior to Final Acceptance of public infrastructure improvements in non-residential developments. (Planning & Development Services)
- G.) Adoption of **Ordinance No. 08-09-86** establishing requirements for the annual registration and inspection of Multi-family housing complexes; establishing minimum standards for the use, occupancy, management, operation and maintenance of Multi-family Housing; and establishing fees for the annual registration. (Planning & Development Services)
- H.) Adoption of **Ordinance No. 08-09-87** repealing Ordinance No. 06-10-102, adopting the Texas Food Establishment Rules, Texas Department of State Health Services, Food Establishment Group 25 Texas Administrative Code, Chapter 229, Sections 161-171 and 173-175, as amended to provide for seasonal permits for mobile and/or temporary vendors operating in enclosed entertainment or athletic venues. (Planning & Development Services)

Deputy Mayor Pro Tem West moved to recess into a short recess. Council member Prince seconded the motion. Motion carried. Vote: 5:0.

Council member Johnson came back into the Regular Session.

Deputy Mayor Pro Tem West moved to reconvene into Regular Session. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 6:0.

REGULAR AGENDA:

11. Consider and Act Upon Adoption of an Ordinance Approving the Revised Budget Figures for Fiscal Year 2007-2008 and Adopting a Budget and

Appropriating Resources for the City of Frisco Budget Year Beginning October 1, 2008. (Financial Services)

Assistant City Manager, Nell Lange, was present to address the Council regarding the Revised Budget Figures for Fiscal Year 2007-2008 and adopting a Budget and Appropriating Resources for the City of Frisco Budget Year Beginning October 1, 2008.

Following discussion, Council member Prince moved to adopt **Ordinance No. 08-09-88** therein approving the Revised Budget Figures for Fiscal Year 2007-2008 and Adopting a Budget and Appropriating Resources for the City of Frisco Budget Year Beginning October 1, 2008. Council member Crowder seconded the motion. Motion carried. Vote: 6:0.

12. Consider and Act Upon Adoption of an Ordinance Approving Revised Figures for Fiscal Year 2007-2008 and Adopting a Budget and Appropriating Resources for the Frisco Community Development Corporation Budget Year Beginning October 1, 2008. (Financial Services)

Assistant City Manager, Nell Lange, was present to address the Council regarding the Revised Figures for Fiscal Year 2007-2008 and Adopting a Budget and Appropriating Resources for the Frisco Community Development Corporation Budget Year Beginning October 1, 2008.

Following discussion, Deputy Mayor Pro Tem West moved to adopt **Ordinance No. 08-09-89** therein approving the Revised Budget Figures for Fiscal Year 2007-2008 and adopting a Budget and Appropriating Resources for the Frisco Community Development Corporation Budget Year Beginning October 1, 2008. Council member Johnson seconded the motion. Motion carried. Vote: 6:0.

13. Consider and Act Upon Adoption of an Ordinance Approving Revised Figures for Fiscal Year 2007-2008 and Adopting a Budget and Appropriating Resources for the Frisco Economic Development Corporation Budget Year Beginning October 1, 2008. (Financial Services)

Assistant City Manager, Nell Lange, was present to address the Council regarding the Revised Figures for Fiscal Year 2007-2008 and Adopting a Budget and Appropriating Resources for the Frisco Economic Development Corporation Budget Year Beginning October 1, 2008.

Following discussion, Council member Cheney moved to adopt **Ordinance No. 08-09-90** therein approving the Revised Budget Figures for Fiscal Year 2007-2008 and adopting a Budget and Appropriating Resources for the Frisco Economic Development Corporation Budget Year Beginning October 1, 2008. Council member Prince seconded the motion. Motion carried. Vote: 6:0.

14. Consider and Act Upon Adoption of an Ordinance Levying the Tax Rate for the City of Frisco, Texas for the Tax Year 2008. (Financial Services)

Assistant City Manager, Nell Lange, was present to address the Council regarding Levying the Tax Rate for the City of Frisco, Texas for the Tax Year 2008.

Council member Crowder moved to adopt **Ordinance No. 08-09-91** therein approving Levying the Tax Rate for the Tax Year 2008. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 6:0.

15. Consider and Act Upon a Resolution to Ratify the Property Tax Revenue Increase in the Proposed Fiscal Year 2009 Budget. (Financial Services)

Assistant City Manager, Nell Lange, was present to address the Council regarding Ratifying the Property Tax Revenue Increase in the Proposed Fiscal Year 2009 Budget.

Following discussion, Deputy Mayor Pro Tem West moved to adopt **Resolution No 08-09-211R**, therein increasing the Property Tax Revenue in the proposed Fiscal Year 2009 Budget. Council member Prince seconded the motion. Motion carried. Vote: 6:0.

Moved to Item 18

16. Public Hearing: Consideration of an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's Rate Review Mechanism (RRM) filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement. (CMO/AG)

Amy Gill was present to address the Council regarding an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's Rate Review Mechanism (RRM) filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.

Deputy Mayor Pro Tem West moved to open the public hearing. Council member Cheney seconded the motion. Motion carried. Vote: 5:0.

Council member Cheney moved to close the public hearing. Council member Crowder seconded the motion. Motion carried. Vote: 5:0.

17. Consider and act upon approval of an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos

Energy Corp., Mid-Tex Division regarding the company's Rate Review Mechanism (RRM) filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement. (CMO/AG)

Amy Gill was present to address the Council regarding an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's Rate Review Mechanism (RRM) filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.

Following discussion, Council member Cheney moved to adopt **Ordinance No. 08-09-92** therein approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's Rate Review Mechanism (RRM) filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement. Council member Prince seconded the motion. Motion carried. Vote: 5:0

18. Consider and act upon the acceptance of a letter of resignation from Tracie Reveal Shipman, Community Development Corporation Board Member. (CMO)

Council member Crowder moved to accept Letter of Resignation from Tracie Reveal Shipman from the Community Development Corporation Board. Council member Cheney seconded the motion. Motion carried. Vote: 6:0.

19. Consider and act upon the appointment of five (5) Board Members to the Community Development Corporation (CDC). (CMO)

Council member Cheney moved to open the nominations. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 6:0.

Deputy Mayor Pro Tem West nominated Hunt Reifschneider for first member. Council member Cheney moved to close nominations. Council member Crowder seconded the motion. Motion carried. Vote: 6:0.

Hunt Reifschneider was appointed as first member by acclamation.

Council member Cheney nominated Allen Biehl for second member. Council member Johnson moved to close nominations.

Allen Biehl was appointed as second member by acclamation.

Deputy Mayor Pro Tem West nominated Cynthia Hurley for third member. Council member Prince nominated Gary Carley. Council member Crowder nominated Keith Wright. Council member Cheney nominated Bill Henning.

Deputy Mayor Pro Tem West moved to close nominations. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 6-0.

Voting for Cynthia Hurley were Council member Cheney, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West and Council member Crowder. Vote: 4:2.

Cynthia Hurley was appointed as third member.

Council member Prince nominated Gary Carley for fourth member. Council member Crowder nominated Keith Wright. Mayor Pro Tem Felker nominated Bill Henning. Council member Cheney nominated Tim Nelson. Deputy Mayor Pro Tem West moved to close nominations.

Gary Carley was appointed as fourth member by acclamation.

Council member Crowder nominated Keith Wright for fifth member. Council member Prince nominated Mark Dunton. Deputy Mayor Pro Tem West moved to close nominations.

Voting for Keith Wright were Council member Johnson, Mayor Pro Tem Felker, Council member Cheney, Deputy Mayor Pro Tem West and Council member Crowder. Vote: 5:1.

Keith Wright was appointed as fifth member.

20. Consider and act upon the appointment of two (2) Board Members to the Economic Development Corporation from the following sectors: one (1) "Member Representative"; and one (1) "FISD" Representative. (CMO)

Deputy Mayor Pro Tem West moved to open the nominations. Council member Crowder seconded the motion. Motion carried. Vote: 6:0.

Council member Cheney nominated Richard Beaver for "FISD" Representative. Deputy Mayor Pro Tem West moved to close nominations. Council member Crowder seconded the motion. Motion carried. Vote: 6:0.

Richard Beaver was appointed as "FISD" Representative by acclamation.

Deputy Mayor Pro Tem West nominated David Porter for "Member Representative". Council member Cheney moved to close nominations.

David Porter was appointed as "Member Representative" by acclamation.

21. Consider and act upon the appointment of three (3) Board Members to the Parks and Recreation Board. (CMO)

Council member Prince moved to open the nominations. Council member Crowder seconded the motion. Motion carried. Vote: 6:0.

Council member Johnson nominated Mike Fisher for the first position. Deputy Mayor Pro Tem West moved to close nominations.

Mike Fisher was appointed for the first position by acclamation.

Deputy Mayor Pro Tem West nominated John Classe for the second position. Council member Crowder nominated Steve Cone. Deputy Mayor Pro Tem West moved to close nominations.

Voting for John Classe were Council member Cheney, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West and Council member Prince. Vote: 4:2.

John Classe was appointed for the second position.

Council member Crowder nominated Steve Cone for the third position. Deputy Mayor Pro Tem West nominated Bruce Quinnell. Council member Cheney nominated Geoffrey Davis. Deputy Mayor Pro Tem West moved to close nominations.

Voting for Steve Cone was Council member Crowder. Bruce Quinnell was appointed for the third position by acclamation.

22. Consider and act upon the appointment of six (6) Board Members to the Board of Adjustments/Construction Board of Appeals, representing the following sectors: three (3) "Members"; one (1) "Alternate 1" Member; one (1) "Alternate 2" Member; and one (1) "Alternate 3" Member. (CMO)

Council member Cheney moved to open the nominations. Council member Johnson seconded the motion. Motion carried. Vote: 6:0

Council member Cheney nominated Daniel Thering for the first position. Deputy Mayor Pro Tem West nominated Jim Wilson. Deputy Mayor Pro Tem West moved to close nominations.

Daniel Thering was appointed to the first position by acclamation.

Deputy Mayor Pro Tem West nominated Jim Wilson for the second position. Council member Prince moved to close nominations.

Jim Wilson was appointed to the second position by acclamation.

Council member Prince nominated Daniel Pellar for the third position. Deputy Mayor Pro Tem West moved to close nominations.

Daniel Pellar was appointed to the third position by acclamation.

Council member Cheney nominated Robert Beatty for "Alternate 1". Council member Crowder nominated Jason Studt. Council member Prince moved to close nominations. Deputy Mayor Pro Tem West seconded the motion. Vote: 6:0.

Voting for Robert Beatty were Council member Cheney, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West and Council member Prince. Vote: 4:2.

Robert Beatty was appointed as "Alternate 1".

Council member Crowder nominated Jason Studt for "Alternate 2". Deputy Mayor Pro Tem West nominated Wayne Snell. Council member Prince moved to close nominations.

Voting for Jason Studt were Council member Johnson and Council member Crowder.

Voting for Wayne Snell were Council member Johnson, Council member Cheney, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West and Council member Prince. Vote: 5:1.

Wayne Snell was appointed as "Alternate 2".

Council member Prince nominated Eddie Duncun as "Alternate 3". Council member Crowder nominated Jason Studt. Deputy Mayor Pro Tem West moved to close nominations.

Voting for Eddie Duncun were Mayor Pro Tem Felker, Deputy Mayor Pro Tem West, Council member Prince. Mayor Maso voted to break the tie. Vote: 4:3.

Eddie Duncun was appointed as "Alternate 3".

23. Consider and act upon the appointment of five (5) Board Members to the Convention & Visitors Bureau, representing the following sectors: one (1) "Ex-Officio" Representative; two (2) "At-Large Representative"; one (1) "Sports Representative"; and one (1) "Restaurant Representative". (CMO)

Council member Prince moved to open the nominations. Council member Cheney seconded the motion. Motion carried. Vote: 6:0

Deputy Mayor Pro Tem West nominated Steve Lay for "Ex-Officio" Representative. Mayor Pro Tem Felker moved to close nominations.

Steve Lay was appointed as "Ex-Officio" Representative by acclamation.

Council member Johnson nominated Randy Locey for "Sports Representative". Deputy Mayor Pro Tem West moved to close nominations.

Randy Locey was appointed as "Sports Representative" by acclamation.

Council member Cheney nominated Chris Reynolds for the "Restaurant Representative". Council member Prince moved to close nominations.

Chris Reynolds was appointed as "Restaurant Representative" by acclamation.

Council member Cheney nominated Bill Bretches for the first "At-Large" Representative. Council member Prince moved to close nominations.

Bill Bretches was appointed as the first "At-Large" Representative by acclamation.

Council member Crowder nominated James Lewis for the second "At-Large" Representative. Deputy Mayor Pro Tem West moved to close nominations.

James Lewis was appointed as the second "At-Large" Representative by acclamation.

24. Consider and act upon the acceptance of a letter of resignation from James "Bob" Dennard, Downtown Advisory Board Member. (CMO)

Council member Prince moved to accept Letter of Resignation from James "Bob" Dennard from the Downtown Advisory Board. Council member Cheney seconded the motion. Motion carried. Vote: 6:0.

25. Consider and act upon the appointment of five (5) Board Members to the Downtown Advisory Board representing the following sectors; three (3) "At-Large" Representative and two (2) "Business/Land Owner" Representatives. (CMO)

Council member Cheney moved to open the nominations. Council member Prince seconded the motion. Motion carried. Vote: 6:0.

Council member Johnson nominated Kevin Lofgren for the first "Business/Land Owner" Representative. Mayor Pro Tem Felker nominated Phil Crimmins. Council member Prince moved to close nominations.

Voting for Kevin Lofgren were Council member Johnson, Council member Cheney, Council member Prince and Council member Crowder. Vote: 4:2.

Kevin Lofgren was appointed as the first "Business/Land Owner" Representative.

Mayor Pro Tem Felker nominated Phil Crimmins for the second "Business/Land Owner" Representative. Council member Cheney moved to close nominations.

Phil Crimmins was appointed as the second "Business/Land Owner" Representative by acclamation.

Council member Prince nominated Robert Messina for the first "At-Large" Representative. Council member Cheney moved to close nominations.

Robert Messina was appointed as the first "At-Large" Representative by acclamation.

Mayor Pro Tem Felker nominated Rick Fletcher for the second "At-Large" Representative. Council member Cheney moved to close nominations.

Rick Fletcher was appointed as the second "At-Large" Representative by acclamation.

Mayor Pro Tem Felker nominated Charles Yarbrough for the third "At-Large" Representative. Council member Crowder nominated Craig Maccubbin. Council member Cheney moved to close nominations.

Voting for Charles Yarbrough were Council member Johnson, Council member Cheney, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West and Council member Prince. Vote: 5:1.

Charles Yarbrough was appointed as the third "At-Large" Representative.

26. Consider and act upon the appointment of three (3) Board Members to the Public Arts Board. (CMO)

Council member Prince moved to open the nominations. Council member Cheney seconded the motion. Motion carried. Vote: 6:0.

Council member Crowder nominated Robert Moroch for the first board member. Deputy Mayor Pro Tem West moved to close nominations.

Robert Moroch was appointed as the first board member by acclamation.

Deputy Mayor Pro Tem West nominated Laverne Forwark for the second board member. Council member Prince moved to close nominations.

Laverne Forwark was appointed as the second board member by acclamation.

Mayor Pro Tem Felker nominated Miriam Satterfield for the third board member. Council member Crowder nominated Charles Graffam. Deputy Mayor Pro Tem West moved to close nominations.

Voting for Miriam Satterfield were Council member Cheney, Mayor Pro Tem Felker, Deputy Mayor Pro Tem West and Council member Prince. Vote: 4:2.

Miriam Satterfield was appointed as the third board member.

27. Consider and act upon the appointment of three (3) Board members to the Urban Forestry Board. (CMO)

Council member Prince moved to open the nominations. Council member Cheney seconded the motion. Motion carried. Vote: 6:0.

Deputy Mayor Pro Tem West nominated Mike Zapata for the first board member. Council member Crowder nominated Marc Kirkland. Council member Cheney moved to close nominations. Deputy Mayor Pro Tem seconded the motion. Motion carried. Vote: 6:0.

Mike Zapata was appointed as the first board member by acclamation.

Deputy Mayor Pro Tem West nominated Dave Preston for the second board member. Council member Crowder nominated Marc Kirkland. Council member Cheney moved to close nominations.

Voting for Dave Preston were Council member Cheney, Mayor Pro Tem Felker and Deputy Mayor Pro Tem West. Mayor Maso voted to break the tie. Vote: 4:3.

Dave Preston was appointed as the second board member.

Council member Johnson nominated Marc Kirkland for the third board member. Mayor Pro Tem Felker nominated Steve Cone. Council member Cheney moved to close nominations. Deputy Mayor Pro Tem West seconded the motion. Vote: 6:0

Voting for Mark Kirkland were Council member Johnson, Council member Cheney, Council member Prince and Council member Crowder. Vote: 4:2.

Marc Kirkland was appointed as the third board member.

28. Consider and act upon the appointment of three (3) Board Members to the Housing Trust Fund Board. (CMO)

Council member Prince Deputy moved to open the nominations. Deputy Mayor Pro Tem West seconded the motion. Motion carried. Vote: 6:0.

MOVED TO ITEM 29 WHILE POSTED AGENDA IS CONFIRMED.

Council member Crowder nominated Nicole Bursey for the first board member. Deputy Mayor Pro Tem West moved to close nominations.

Nicole Bursey was appointed as the first board member by acclamation.

Mayor Pro Tem Felker nominated Don Parker for the second board member. Council member Cheney moved to close nominations.

Don Parker was appointed as the second board member by acclamation.

Mayor Pro Tem Felker nominated Shannon Kackley for the third member. Council member Cheney moved to close nominations.

Shannon Kackley was appointed as the third board member by acclamation.

29. Consider and act upon the Mayor's appointment of one (1) Board Member to the Housing Authority Board representing the following sector: one (1) Board Member "At Large". (CMO)

Council member Johnson moved to open Item 29. Council member Crowder seconded the motion. Motion carried. Vote: 6:0.

Mayor Maso appointed Sarah Kimmich to the Housing Authority Board.

MOVED BACK TO ITEM 28.

Deputy Mayor Pro Tem West moved to take a five minute break. Council member Cheney seconded the motion. Motion carried. Vote: 6:0.

Council member Cheney moved to reconvene to Regular Session. Mayor Pro Tem Felker seconded the motion. Motion carried. Vote: 5:0.

Council member Johnson left the Council Meeting at 8:03 p.m.

Moved back to Item 16

30. Discuss and give staff direction on the creation of a committee to interact with staff and the consultant on updating the City's Comprehensive Zoning Ordinance. (Planning & Development Services)

John Lettelleir was present to address the Council regarding the creation of a committee to interact with staff and the consultant on updating the City's Comprehensive Zoning Ordinance.

Following discussion, Council instructed staff to bring recommendations to Council at a later meeting.

31. Public Hearing: Zoning Case Z08-0014, A request to amend Planned Development-188-Office-2 regarding permitted uses on 159.1± acres on the north side of Main Street, 500+ feet east of the Dallas North Tollway and consider and act to direct staff to prepare an Ordinance of the same. Neighborhood #46. (Planning & Development Services)

Director of Planning and Development Services, John Lettelleir was present to address the Council regarding the request to amend Planned Development-188-Office-2 regarding permitted uses on 159.1± acres on the north side of Main Street, 500+ feet east of the Dallas North Tollway.

Council member Prince moved to open the public hearing. Council member Cheney seconded the motion. Motion carried. Vote: 5:0.

Council member Cheney moved to close the public hearing. Council member Prince seconded the motion. Motion carried. Vote: 5:0.

Following discussion, Deputy Mayor Pro Tem West moved to approve and instructed staff to prepare an ordinance for adoption. Council member Crowder seconded the motion. Motion carried. Vote: 5:0.

32. Public Hearing: Specific Use Permit SUP08-0008, A request for a Specific Use Permit for an Assisted Care Facility on two lots on 6.7+ acres on the east side of Legacy Drive, 645+ feet north of Stonebriar Way and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-32-Garden Office. Neighborhood #34. (Planning & Development Services)

John Lettelleir was present to address the Council regarding a request for a Specific Use Permit for an Assisted Care Facility on two lots on 6.7+ acres on the east side of Legacy Drive, 645+ feet north of Stonebriar Way.

Deputy Mayor Pro Tem West moved to open the public hearing. Council member Prince seconded the motion. Motion carried. Vote: 5:0.

Dave Kochalka, 5750 Genesis Ct., Ste. 200, Frisco, TX 75034 was present to speak in favor of Item 32 and asked Council to approve the request.

Deputy Mayor Pro Tem West moved to close the public hearing. Council member Prince seconded the motion. Motion carried. Vote: 5:0.

Following discussion, Council member Cheney moved to approve and instructed staff to prepare an ordinance for adoption. Council member Prince seconded the motion. Motion carried. Vote: 5:0.

33. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Planning & Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Planning & Development Services. (Planning & Development Services)

No Appeals.

34. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

List of the names of the applicants not appointed to any boards.
Information on the Market Daily Report from First Southwest
Fuel Usage Improvements
Criteria on updating the Comprehensive Zoning Ordinance

35. Discussion on Governance Monitoring of present City Council Meeting.

Council member Prince stated according to the time line they were very ahead of schedule. He gave the Council an A+.

36. Adjourn.

Deputy Mayor Pro Tem West moved to adjourn the meeting. Council member Cheney seconded the motion. Motion carried. Vote: 5:0.

There being no additional business, the meeting was adjourned at 8:38 p.m.

Maher Maso, Mayor

ATTEST:

Ron Patterson, Interim City Secretary